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[CONSTITUTION AS OF 1949]

642 Art. 15. The Russian Soviet Federated Socialist Republic reserves the right freely to secede from the Union of Soviet Socialist Republics.

Art. 16. The territory of the Russian SFSR may not be altered without its consent.

[701] Art. 16a. The Russian Soviet Federated Socialist Republic has its own Republican military formations.

[649] Art. 16b. The Russian Soviet Federated Socialist Republic has the right to enter into direct relations with foreign states and to conclude agreements and exchange diplomatic and consular representatives with them.

● [671] Art. 17. The laws of the USSR are binding within the territory of the Russian SFSR.

[640] Art. 18. Every citizen of the Russian SFSR is a citizen of the USSR.

Citizens of all other Union Republics enjoy on the territory of the Russian SFSR equal rights with citizens of the Russian SFSR.

Art. 19. The jurisdiction of the Russian Soviet Federated Socialist Republic, as represented by its higher organs of state power and organs of state administration, embraces:

a) Adoption of the Constitution of the Russian SFSR and control over its observance;

b) Confirmation of the Constitutions of the Autonomous Soviet Socialist Republics;

c) Submission of the formation of new territories and regions and also of new Autonomous Republics and Autonomous Regions to the Supreme Soviet of the USSR for confirmation.

d) Establishment of boundaries, and of the division into districts, of Autonomous Soviet Socialist Republics and of Autonomous Regions;

e) Establishment of the boundaries, and of the division into districts, of regions and territories;

f) Legislation of the Russian SFSR;

g) Maintenance of public order and safeguarding the rights of citizens;

h) Approval of the national-economic plan of the Russian SFSR;

i) Approval of the state budget of the Russian SFSR and of the report on its fulfilment;

j) Determination of state and local taxes, imposts and non-tax revenues in conformity with the laws of the USSR;

k) Direction of the fulfilment of budgets of Autonomous Republics and of local budgets of territories and regions;

l) Direction of insurance and savings;

m) Administration of the banks, industrial, agricultural and trading enterprises and organizations subordinate to the Republic, as well as direction of local industry;

n) Control and superintendence of the condition and administration of enterprises subordinate to the Union;

o) Establishment of the procedure governing the use of land, mineral wealth, forests and waters;

p) Direction of dwelling houses and the municipal economy, dwelling house construction and the modernization of cities and other inhabited places; road building; direction of local transport and communications;

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were directed not only against this cult, but also against that of the Fire and of the Sun.[25] There was no cult of war-gods in the mythology of the Old Slavs nor was there any epic poetry in their folklore.

Unlike the patriarchal, rigidly stratified and dualistic religious system of steppe nomads which was full of tensions and struggles, the supernatural world of the Slavs of Polesie was anarchic, equalitarian and peaceful. Apparently projecting their own social organization into the supernatural world, the Old-Slavonic plowmen conceived it as being composed of both sexes but without a hierarchy of power among themselves. The deities that inhabited that world were neither arbitrary nor corrupted, nor did they fight among themselves for the control over man. Festivals in their honor were celebrated with the accent on drink, song, dance and lovemaking.

Accordingly the Slavs of Polesie did not have to appease their deities nor try to be on good terms with both the bad and the good ones. They believed that after death bad and wicked people would roam the earth in the form of werewolves and vampires; but, they also possessed simple means of protection against these evil ghosts, such as pieces of torn clothes, which were accessible to everyone.[26] There were always persons of both sexes who maintained contact and control over the spirits of evil and were willing to help anyone in distress. Hence the Old Slavs trusted their wizards, the *veshchy*.[27]

According to the religious and social philosophy of the Slavs of the Dnieper, there are some general all-embracing rules of behavior to which all people, all the universe as well as all the deities, are subjected. In such a religious and philosophical system, the deities could not be capricious. They could be relied upon to behave according to commonly accepted rules of conduct and should not therefore be distrusted and feared. It is this optimistic view of destiny and of the universe, in which order and anarchic equity, not sword or might nor caprice prevail, that perhaps had found expression in the Old-Slavonic concept of law which was identified with truth and justice (*pravda*). The same view of life had perhaps found expression also in the Old-Slavonic concept of judgment which was identified with destiny

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brotherhood could still be maintained. Since the seventeenth century, however, expenditures for military campaigns and for growing ranks of salaried bureaucrats necessitated increasing state incomes which could be obtained without much delay. Since the state was industrially and commercially undeveloped, the only way to increase revenues was in finding new means to squeeze out of the peasantry a still larger part of its produce. Therefore the old system of direct tax collecting from the mir was found to function inefficiently on the estates of the nobility, and laws were passed which made the landowners responsible for the collection of state taxes from the peasantry. In this way ties between the manorial peasants and the central government were severed.[1]

As a result of such a change in the political structure, the manorial serfs became now entirely dependent upon the owners of the manorial estates. There was no more possibility for the peasants to appeal directly to the government. Between the government and the manorial peasants stood now the landlords to whom the peasants became exclusively responsible as a final authority in all matters, administrative as well as judiciary.[2] *Pomeshchik* was now looked upon as the "natural protector of people, their local judge, the guardian of their welfare, their tutor, the trustee of poor and orphans, observer of good order and law."[3] He was considered as the Czar's overseer and watchdog.[4] The patriarchal dominance-submission and protection-dependence relationships which existed between the Czar and his subjects were now extended to the landlord and his serfs. Both the Czar and the landlord were addressed as *batyushka* (father).

The position of the serf, however, was now so much more precarious because in new relationships the power of the landlord was absolute. A life-long banishment to Siberia awaited him who lodged a complaint against his master. And since there were neither written laws nor any established customary law to regulate the relations between the serfs and the manorial lords, the serfs were completely dependent upon the degree of moral or ethical standards of their masters for their lives and well-being. These were often very low. Hence unprotected either by

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Great-Russian peasant saw the need to keep on good terms with this ruler of the underworld.

Since the Czar was identified with God, the peasant's feeling toward the Czar was like his attitude toward God. He knew that the Czar was as omnipotent as God. "Everything is in the power of God and the Czar," he would say. Therefore, he feared the Czar like he feared God, he felt an awe before the Czar as before God, and he hoped for the best, but it can hardly be said that he had much love for him. "Czar is not fire, but if you come close to him you will burn yourself," he would say. His idea was also that "Where there is Czar there is fear and dread," and that "Czar's rage spreads death." Since God was so far away, detached, neglectful, and implacable, it was the Czar's fearful power that mattered. "God's is the will, but the court is Czar's," he would say.[5]

The peasant's feelings toward the supreme power of the world and of the universe reflected only his bitter experiences with the representatives of these powers on the earth with whom he had to deal in local affairs. Often these did not bring justice, but venality, arbitrariness and persecution. "The court is founded on untruth and injustice"; "Where there is court there is chicanery," he would say. And since the judges were corrupted, the only way to get anything from them was to bribe them. "The judge is useful as much as the pocket is helpful," he would say. Such action, however, was not always advisable because of greediness of the judges. "You will never fill a judge's pocket"; "Do not litigate, you will strangle yourself."[6]

Because of his traditional distrust of authorities the peasant showed also a profound lack of trust in all written laws. He likened the law to the cobweb whose purpose was to catch the small and helpless, not the big and powerful ("The bumblebee will break through, the fly will get stuck."). He also compared the law to a tool that could be used arbitrarily by those who held it in their hands ("The law is like shaft, you turn it wherever you want it."). He noticed that "those who write the laws also break them," and concluded that "It is in vain to write laws if they are not carried out." In accordance with the Old-Slavonic anarchic and equalitarian traditions he was inclined to believe

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that "If all laws perished the people would live in truth and justice."[7]

The peasant realized that there was sharp differentiation in economic status in his society as well as in his own local community. But what he especially resented was that the men of wealth took advantage of their position to oppress the weak; and that the poor had to be utterly submissive and subservient to the well-to-do. "The one who is better off has long hands," the peasants would say, meaning that the men of wealth had control over others. And he would compare the arbitrariness of the man of power with the craftsman who handles his material according to his will. "The master is like the carpenter: he cuts the way it pleases him." He would also say that the rich man has all the space he wants "as much as the pike in the water," but as "for the poor there is nowhere any room." He resented the fact that though "Poverty was not sin, yet the people laughed at it." He also objected that the poor were forced to repress their real feelings and cringe before the rich. "The poor are angry at the rich, yet they find themselves in their trail with cap in hand," he would complain.[8]

The peasant therefore grew distrustful and resentful of everyone who was in one way or other above him. He could not depend much upon God and Czar, and he mistrusted the bureaucrats, the landlords, the priests, the judges, the police, and even the better-off people of his own strata. He was particularly distrustful of cities and city folk, of Moscow and Moscovites especially. From ancient times he looked upon Moscow, the seat of the Czar's government, as heartless and deceitful, and as the source of most of his troubles. "In Moscow," he thought, "you find everything except own father and mother." He also considered that his capital city was so corrupted that, "If you go to Moscow you must take there your last penny."

The peasant therefore lived in an environment in which he felt deserted by the powers of heaven and oppressed by their representatives on earth. He therefore felt unprotected, isolated, friendless, lonely, and insecure. His idea was that both God and man were against him. "If God attacks you, good people will attack you too," he would complain.

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ment expense the Party recruits these in the first place from among specific categories of children, such as war orphans, illegitimate and delinquent children, and children of Party functionaries. Such children are considered to be most promising from the point of view of Party objectives.

It is mainly from the university student body that the new ruling classes and all needed experts of the Soviet Union are being recruited.[16] It is therefore of paramount importance that this reservoir of the ruling strata is kept well under control and that it is thoroughly ideologically indoctrinated and trained in unswerving loyalty and conformity to the Party. "Ideological training of Soviet students is a vital and integral part of all the work of district, city, province, and territory party committees."[17] It is therefore imperative that this body is highly selective and not overcrowded. Recruitment of university students from among higher classes and from selected categories of children serves well the Party objectives to perpetuate its power and to command unconditional submission of all to its will. Such policies also tend to solidify Soviet social structure along caste lines.[18]

III

The Bolsheviks have also employed other means to establish their absolute dominance. Following Anarchist precepts and practices, and driven by power-seeking and destructive aggression, they have justified a number of oppressive measures as being necessary "to hasten the liquidation of the capitalistic elements and to organize defense against capitalist encirclement which is as yet far from being, and will not soon be destroyed."[19] Their objectives were to be achieved not only by means of economic dependency, systematic indoctrination, planned social isolation and lack of trust, but also by means of relentless vigilance and systematic terror.

One of the most important instruments of such policies have been the courts of law. Soviet socialist law is defined as the "totality of the rules of conduct, established in the form of legislation—to the end of annihilating, completely and finally, capitalism and its survival in the economy, manner of life,

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and consciousness of people. . . ."[20] The Soviet court is to accomplish this task "by destroying without pity all the foes of the people in whatsoever form they manifest their criminal encroachments upon socialism."[21]

One of the chief watchdogs in such use of the law and of the court is the Prosecutor General of the USSR. In this function as the main overseer in the application of Soviet law the office of the Prosecutor General is empowered "upon its own initiative" to interfere on all the levels of juridical procedure, including even the decisions of the Supreme Court. The Prosecutor's office is therefore defined as "Inseparably integrated with the court—an organ of state authority obligated to oversee that socialist legality is observed."[22] The Prosecutor's office initiates criminal proceedings and has also the right to initiate a civil court proceeding. It also supervises the fulfillment of court sentences.

In this manner the office of the Prosecutor General has become the main instrument in preventing any local opposition to or local deviation from the application of law. To best perform this role of strict legal uniformity the office of the Prosecutor General had to be highly centralized, made independent of local organs of authority, while in close contact and under the strict supervision of the highest organs of the Party's hierarchy.[23] In this way the Public Prosecutor has become a means of the "uniform conception of justice" (*edinoobraznoe ponimanie zakonnosti*), "an instrument of political power" (*orudie ukreplenia gosudarstva*), and an agent of "moral-political unity" (*moralno-politicheskoe edinstvo*).[24] By enforcing strict application of the letter of the law, the top Party leaders have been enabled to keep the republic, the regional and the local government agencies, the municipal bureaucracies, and the industrial and farm managements from any deviations in the application of law.[25]

Another significant instrument of political conformity in Soviet society is the institution of the political police. In accordance with its tradition this institution specializes in intelligence, vigilance and violence. It complements all other instruments of conformity and functions as an omnipresent and omniscient power which sleeplessly watches over the private and the public life of every Soviet citizen at home and abroad. The